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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,121	12/18/2001	Daijiro Murata	16869S-040200US	3817

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TOWNSEND AND TOWNSEND AND CREW, LLP  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

EXAMINER

CHOI, PETER H

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 11/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/025,121

Applicant(s)

MURATA ET AL.

Examiner

Peter Choi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 and 9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. The following is a **FINAL** office action upon examination of application number 10/025121. Claims 1-3 and 9 are now pending in the application and have been examined on the merits discussed below.

#### ***Response to Amendment***

2. The drawings were received on September 11, 2006. These drawings are acceptable.

3. The previous objection to Figures 2, 4, 5, 6, 7, 8, 9, 10, 14, 18, and 19 raised under 37 CFR 1.84(p)(4) and 37 CFR 1.84(p)(5) are withdrawn in view of amendments to the specification and newly submitted replacement drawings.

#### ***Response to Arguments***

4. Applicant's arguments filed September 11, 2006 have been fully considered but they are not persuasive.

5. Applicant argues that Stevens does not mention collecting attribute information about the tasks, only that the tasks can be linked together.

The Examiner respectfully disagrees. Page 8, lines 10-13, and Page 11, lines 6-9 of the Applicant's specification list progress degree, schedule, persons in charge, and the tree structure of the WBS as examples of attribute information. Stevens teaches that "reports can be produced on plan-versus-actual dates and cost, percent of task completed, time remaining, cash-flow reports, and to-do-lists" [Paragraph 12]. The Examiner asserts that these values (actual dates, cost, percent of task completed, time remaining, cash-flow reports, to-do-lists) are progress degree indicators (i.e., "attribute information") and are used to produce said reports. Furthermore, the Examiner asserts that the ability of Stevens to produce said reports implies the necessity of collecting and inputting said data to enable the production of said reports.

6. Applicant argues that Stevens does not mention collecting attribute information about tasks across multiple subprojects.

The Examiner respectfully disagrees. Stevens defines subprojects as a collection of tasks or milestones (10,000 tasks or milestones may be broken down into 128 levels of resources and/or subprojects) [Paragraph 10]. Stevens also utilizes Gantt and PERT charts to monitor projects. As discussed above, progress degree, schedule, and persons in charge have been defined as attribution information by the Applicant's

specification. Required resources (people or material) (i.e., person in charge), as well as time limitations (i.e., schedule), can be specified for each task in a project. [Paragraph 11]. PERT charts display tasks with information about resources (i.e., person in charge) or start and finish dates (i.e., schedule, progress degree) along with the relationships among tasks, whereas Gantt charts graphically show the planned chronology of a project (i.e., schedule, progress degree) [Paragraphs 13-15]. Thus, the Examiner asserts that the progress degree of subprojects monitored by Stevens is a collection of attribution information about tasks that are distributed amongst a plurality of subprojects.

7. Applicant argues that Stevens does not discuss displaying attribute information about the tasks, or displaying attribute information about tasks from different subprojects.

The Examiner respectfully disagrees. As mentioned above, Stevens defines subprojects as a collection of tasks or milestones (10,000 tasks or milestones may be broken down into 128 levels of resources and/or subprojects) [Paragraph 10]. Stevens also utilizes Gantt and PERT charts to monitor projects. As discussed above, progress degree, schedule, and persons in charge have been defined as attribution information by the Applicant's specification. Required resources (people or material) (i.e., person in charge), as well as time limitations (i.e., schedule), can be specified for each task in a project. [Paragraph 11]. Stevens uses the graphical interface to specify the needed

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resources, tasks, and time constraints using Gantt or PERT charts [Paragraph 13]. PERT charts display tasks with information about resources (i.e., person in charge) or start and finish dates (i.e., schedule, progress degree) along with the relationships among tasks, whereas Gantt charts graphically show the planned chronology of a project (i.e., schedule, progress degree) [Paragraphs 13-15]. Thus, the Examiner asserts that the graphical interface, as utilized by Stevens, displays attribute information (schedule, resource allocation, progress degree) about tasks from different subprojects (task information may be organized into different subprojects and displayed on PERT charts).

### ***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1-3 and 9 rejected under 35 U.S.C. 102(b) as being anticipated by Larry Steven's "Simplifying Complex Project Management: Complex Projects at US West Benefit from AutoPlan II Project Management Software" (herein referred to as Stevens), published in the August 1995 issue of Open Computing (reference 1-U).

As per claim 1, Stevens teaches a method of managing a hierarchically structured project on a computer, comprising the steps of:

(a) defining subprojects composing the hierarchical structure (**You can input up to 10,000 tasks or milestones, broken down into 128 levels of resources and/or subprojects. The project elements can be organized into 12 levels of work breakdown structures, which provide a hierarchy of tasks**) [Paragraph 10];

(b) defining a structure of works composing each of said subprojects (**You can input up to 10,000 tasks or milestones, broken down into 128 levels of resources and/or subprojects**) [Paragraph 10];

(c) storing information about each work of each subproject (**Required resources (people or material), as well as time limitations, can be specified for each task in a project; Now that the program is easily accessible from anyone's workstation, it's much less difficult for team members to enter project data. As a result, the information on a project's progress is almost always up-to-date**) [Paragraphs 11, 19];

(d) collecting attribute information for a collection of works from two or more of said subprojects (**plan-vs-actual dates and cost, percent of task completed, time remaining, cash-flow reports, to-do lists; needed resources, tasks, time constraints {required to produce reports}**), said collection of works selected by a user and designated as a compound work (**Using the graphical interface, tasks or entire projects can be linked together; Now that the program is easily accessible from anyone's workstation, it's much less difficult for team members to enter**

**project data. As a result, the information on a project's progress is almost always up-to-date)** [Paragraphs 11, 12, 13, 19]; and

(e) displaying the attribute information of said works comprising said compound work **(AutoPlan II is designed to allow workgroups to plan and monitor projects. It contains the two most common project management charts: PERT charts display tasks with information about resources or start and finish dates; Gantt charts graphically show the planned chronology of a project)** [Paragraphs 11, 13-15].

As per claim 2, Stevens teaches a project management method as claimed in claim 1, wherein the information about said each work includes progress information and the method displays a progress degree of all works composed as said compound work **(AutoPlan II is designed to allow workgroups to plan and monitor projects. It contains the two most common project management charts: Gantt and PERT charts; PERT charts display tasks with information about resources or start and finish dates and show the relationships among tasks and between tasks and milestones; Gantt charts graphically show the planned chronology of a project. When you list the tasks in a column, the time period for those tasks is displayed horizontally across the screen; The reports most often selected are plan-versus-actual dates and costs, and percentage of the project (or sub-project) completed. The reports can be displayed in tabular or graphical format)** [Paragraphs 11, 14, 15, 18].



As per claim 3, Stevens teaches a project management method as claimed in claim 1, wherein an access privilege is set to said project, said subproject and said work, and the informations of said project, said subproject and said work, the access privileges of which are given to the user, are displayed **(set up passwords by user identification, specifying which users can make changes and which can merely create reports and view the project charts)** [Paragraph 20].

As per claim 9, Stevens teaches a system of managing a hierarchically structured project, comprising:

(a) project defining means for defining subprojects composing the hierarchical structure **(You can input up to 10,000 tasks or milestones, broken down into 128 levels of resources and/or subprojects. The project elements can be organized into 12 levels of work breakdown structures, which provide a hierarchy of tasks)** [Paragraph 10];

(b) WBS (Work Breakdown Structure) defining means for defining a structure of works composing each of said subprojects **(You can input up to 10,000 tasks or milestones, broken down into 128 levels of resources and/or subprojects)** [Paragraph 10];

(c) storage means for storing information about each work of each subproject **(Required resources (people or material), as well as time limitations, can be specified for each task in a project; Now that the program is easily accessible**

**from anyone's workstation, it's much less difficult for team members to enter project data. As a result, the information on a project's progress is almost always up-to-date)** [Paragraphs 11, 19];

(d) compound work generating means for collecting attribute information for a collection of works from two or more of said subprojects **(plan-vs-actual dates and cost, percent of task completed, time remaining, cash-flow reports, to-do lists; needed resources, tasks, time constraints {required to produce reports})**, said collection of works selected by a user and designated as a compound work **(Using the graphical interface, tasks or entire projects can be linked together; Now that the program is easily accessible from anyone's workstation, it's much less difficult for team members to enter project data. As a result, the information on a project's progress is almost always up-to-date)** [Paragraphs 11, 12, 13, 19]; and

(e) display means for displaying said attribute information about said works comprising said compound work **(AutoPlan II is designed to allow workgroups to plan and monitor projects. It contains the two most common project management charts: Gantt and PERT charts)** [Paragraph 11].

### ***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Choi whose telephone number is (571) 272 6971. The examiner can normally be reached on M-F 8-5.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PC

November 22, 2006

  
TARIQ R. HAFIZ  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600